

CHAPTER NO. 738

HOUSE BILL NO. 2121

By Representatives Buck, Cooper

Substituted for: Senate Bill No. 2054

By Senators Crutchfield, Dixon

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, Part 2, relative to judgments and appeals in workers' compensation cases.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, Part 2, is amended by adding the following as a new section:

Section 50-6-2__.

(a) If following a civil action in a workers' compensation case filed pursuant to § 50-6-225, the court enters a judgment or decree that includes multiple findings with separate awards of payment to the employee, the following shall apply:

(1) If the employer, insurer or employee appeals one (1) or more of such findings but not all, any payments owed to the employee as the result of a finding not appealed shall be due and payable to the employee when the time for appealing such judgment or decree has expired.

(2) If the employer, insurer or employee appeals more than one (1) of such findings and the Supreme Court grants permission to appeal as to at least one (1) of the findings appealed but not all, any payments owed to the employee as the result of a finding not appealed or for which permission to appeal was not granted shall be due and payable to the employee when the time for appealing such judgment or decree has expired.

(b)

(1) When the time for filing an appeal has expired under subsection (a)(1), the court, unless in its discretion it determines otherwise, shall enter final judgment pursuant to Rule 54.02 of the Rules of Civil Procedure as to all findings not appealed.

(2) When the time for filing an appeal has expired under subsection (a)(2), the Supreme Court, unless in its discretion it determines otherwise, shall issue a mandate pursuant to Rule 42 of the Rules of Appellate Procedure as to all findings for which permission to appeal was not granted.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it and shall apply to all workers' compensation judgments and decrees entered on or after such date.

PASSED: May 4, 2000


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of May 2000


DON CONQUIST, GOVERNOR